

CRIMINAL CAUSE FOR SENTENCING

BEFORE: JUDGE KIYO A. MATSUMOTO **DATE: 5/28/2019** **TIME: 10:00am-12:30pm.**

DOCKET: 10CR433 [KAM] USA VS. BRAUN

DEFENDANT NAME: Jonathan Braun **X Present** **X (dob)**

DEFENSE COUNSEL: Anjelica Bianca Cappellino **X Present** **X Retained**

AUSA: Craig Heeren **Deputy Clerk S. Jackson** **Court Reporter: Linda Marino**

X CASE CALLED **X DEFENDANT** **X Sworn** **X Informed of Rights**

STATEMENTS OF DEFENDANT AND COUNSEL HEARD X

DEFENDANT PLEAD GUILTY TO COUNT(S) Counts 1 and 6 of a six-count Superseding Indictment.

COURT ACCEPTED PLEA OF GUILTY TO Counts 1 and 6 of a six-count Superseding Indictment.

IMPRISONMENT: 10 years in custody on Count 1, and 3 years in custody on Count 6 to be served concurrently for a total of 10 years, with credit for time served in custody from May 26, 2010 to November 4, 2011.

SUPERVISED RELEASE: 5 years on Count 1, and 3 years on Count 6, to be served concurrently for a total of 5 years with the following special conditions.

1. Mr. Braun shall comply with the Assessment and Fine Order.

2. Mr. Braun shall submit his person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States probation officer. Failure to submit to a search may be grounds for revocation of release. Mr. Braun shall advise any other occupants that the premises may be subject to searches pursuant to this condition. An officer may conduct a search pursuant to this condition only when reasonable suspicion exists that the defendant violated a condition of his supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

3. Upon request, Mr. Braun shall provide the U.S. Probation Office with truthful and complete disclosure of his financial records, including co-mingled income, expenses, assets and liabilities, to include yearly income tax returns. With the exception of the financial accounts reported and noted within the presentence report, Mr. Braun is prohibited from maintaining and/or opening any additional individual and/or joint checking, savings, or other financial accounts, for either personal or business purposes, without the knowledge and approval of the U.S. Probation Office. Mr. Braun shall cooperate with the Probation Officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income and expenses. Family financial information should include all sources of income and all expenses, his wife. Mr. Braun shall cooperate in the signing of any necessary authorization to release information forms permitting the U.S. Probation Office access to his financial information and records.

4. The defendant shall not possess a firearm, ammunition, or destructive device.

FINE

Mr. Braun is ordered to pay a fine in the in the amount of \$100,000, due immediately and payable as set forth herein, to the Clerk of Court, U.S. District Court, (EDNY) 225 Cadman Plaza East, Brooklyn, NY 11201, and shall reference the caption, USA v. Jonathan Braun, 10cr433[KAM] and the notation "fine" on the check. The fine is due immediately and is payable at a minimum rate of 10% of the defendant's gross monthly income or \$25 per quarter while in custody. Starting the first day of the first month of his release, Mr. Braun shall continue his payments at the minimum monthly rate of at least \$2500 per month or 15% of his gross monthly income after deductions required by law, whichever is greater. He shall continue making monthly fine payments until the fine amount is fully paid.

OTHER:

✓ Special Assessment **\$200.00** Restitution **\$0.00** Fine **\$100,000**

Forfeiture: already effectuated by the DEA

✓ Deft advised of right to appeal. ✓ Transcript .

✓The government shall return defendant's property if any.